REMARKS

Claims 2, 3, and 26 have been canceled. Claims 1 and 4-25 are pending. Claims 1, 23, 24, and 25 are independent claims.

THE OFFICE ACTION IN THE PARENT CASE

In an Office Action dated September 8, 2000 in the parent case of which the present application is a continuation, the Examiner rejected original claims 1, 4, 6-10, 13, and 21-25. Independent claims 1, 23, 24, and 25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,031,845 to Walding.

The rejection is respectfully traversed. With respect to claim 1, Walding teaches a method for allocating bandwidth to calls from wireless communications devices connected to a central terminal via a common subscriber terminal. Walding, col. 6, lines 4-42 & Fig. 1. As taught by Walding, the subscriber terminal is configured to allocate to various communication devices its own bandwidth for communication with the central terminal based on information gathered at the subscriber terminal itself regarding the calls currently being handled by the subscriber terminal. Walding, col. 10, line 14 – col. 11, line 48 & Fig. 7.

Claim 1 recites "determining from information received in the upstream direction a minimum downsteam available network bandwidth." As noted above, Walding teaches determining available bandwidth at the subscriber terminal itself, not at any downstream point. *Id.* In addition, Walding teaches determining available bandwidth based on information available at the subscriber terminal itself, not "from information received in the upstream direction." Therefore, Walding does not satisfy the language of claim 1 quoted above. As such, claim 1 is believed to be allowable.

Claims 2-22 depend from claim 1 and are believed to be allowable for the same reasons described above. In addition, it is noted that claims 5, 11, 12, and 14-20 were indicated in the September 8, 2000 Office Action as containing allowable subject matter.

Similar to claim 1, claim 23 recites a "packet controller" that "determines a minimum downstream available network bandwidth available in the downstream direction from information received in the upstream direction." As such, claim 23 is believed to be allowable for the same reasons described above.

Claim 24 recites "adjusting the local allocated bandwidth at each node based on the minimum downstream available network bandwidth information received at each node." As discussed above, Walding teaches allocating the subscriber terminal bandwidth based on information gathered at the subscriber terminal, not based on "minimum downstream available network bandwidth information received" at the subscriber terminal from another location. As such, claim 24 is believed to be allowable.

Claim 25 recites "determining a local allocated bandwidth for locally generated network packets sent in the downstream direction based on notification received from the upstream direction." As discussed above, Walding teaches allocating the subscriber terminal bandwidth based on information gathered at the subscriber terminal itself, not based on any "notification received from the upstream direction." As such, claim 25 is believed to be allowable.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

AMENDMENTS TO THE SPECIFICATION

On page 23, starting on line 15:

If it is determined in step 420 that the transmission buffer contains no low priority packets, or if it is determined in step 422 that the transit buffer depth exceeds the low priority local transmission threshold, or if it is determined in step 424 that the local transmit usage exceeds the allocated usage for the node, or if it is determined in step [424] 414 that the transit buffer depth is exceeds the high priority threshold, then control is transferred to a step 430. In step 430, the node checks whether or not the forward rate exceeds the allocated usage for the node. If the forward rate exceeds the allocated usage, then a flag indicating that notifications should be sent in the upstream direction is set in a step 432. Whether or not the flag is set, control is transferred to a step 434 where it is determined whether or not the transit buffer contains any low priority packets. If the transit buffer contains a packet, the packet is sent in a step 440. Once the packet, if any, is sent, control is transferred back to start and the process is repeated.

On page 26, starting on line 8:

Medium access controller 606 and medium access controller 608 both forward packets for the node to a receiving PCI interface 610 which transfers data to the PCI bus. Medium access controller 606 and 608 receive packets from the PCI bus to be transmitted on the inner and outer rings via transmission PCI interface[s 610 and] 612. Thus, the medium access controller receive packets for the node and forwards packets on ring interfaces 602 and 604.